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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,085	09/09/2003	Rene Perrot	21376	9162
27182	7590	10/22/2008	EXAMINER	
PRAXAIR, INC.			MCDONALD, RODNEY GLENN	
LAW DEPARTMENT - M1 557			ART UNIT	PAPER NUMBER
39 OLD RIDGEBURY ROAD			1795	
DANBURY, CT 06810-5113				
			MAIL DATE	DELIVERY MODE
			10/22/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* RENE PERROT, THOMAS J. HUNT,  
HOLGER J. KOENIGSMANN, and PAUL S. GILMAN

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Application No. 10/657,085  
Technology Center 1700

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Mailed: October 22, 2008

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Before KRISTA ZELE *Deputy Chief Appeals Administrator*  
ZELE, *Deputy Chief Appeals Administrator*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on August 18, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the

application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

**EXAMINER'S CONSIDERATION OF REPLY BRIEF**

A Reply Brief was filed in this application on January 16, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR CFR § 41.43(a)(1) and MPEP § 1208, part II.

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

1) consider the Reply Brief filed January 16, 2008, as indicated above;

and

3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/lb

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